Remarks

Applicants respectfully request reconsideration of the present application in view of the foregoing amendments and the following remarks. Claims 1-2 and 5-21 remain pending in the application.

Claim Rejections under 35 U.S.C. § 112

The Action rejects claims 1-2 and 5-21 under 35 USC § 112, first paragraph, as failing to comply with the enablement requirement. Applicants respectfully traverse the rejection.

The Office alleges that the specification does not provide enabling detail for language in the claim relating to "sufficiency." Applicants respectfully disagree. Those of ordinary skill in the art would be able to choose the desired sufficiency measure for the particular coding/decoding application according to the tolerance for which an implementation of the claimed coding and decoding methods and systems is being designed.

Nevertheless, in interests of expediting prosecution of the application, Applicants have amended the language of the claims to remove any reference to "sufficiency." Instead, the amended claim language refers to the way described in the specification for choosing the DPCM mode as set out at page 9, lines 17-19. More particularly, each available DPCM mode is applied, and the mode that produces the DPCM residuals that are most compressible (relative to the other available DPCM modes) by RLGR coding would be considered to have the closest to optimal distribution and therefore is chosen.

Applicants have also amended the claim language relating to determining when to default to the no DPCM mode. As described for the illustrated implementation in the specification at page 9, lines 24-28, the results for the DPCM mode that produces the most compressible DPCM residuals is compared to a threshold. This threshold is simply a tunable parameter that can be chosen by the artisan according to the desired application. The value for this threshold parameter can be chosen by the artisan testing empirically which threshold yields the best results for the intended application for which the implementation is being designed.

The amended claims therefore comply with the requirements of § 112.

Claim Rejections under 35 U.S.C. § 101

The Action rejects claims 14-17 under 35 U.S.C. § 101 as allegedly directed toward non-statutory subject matter. Applicants respectfully traverse this rejection.

The Office alleges that claims 14-17 are directed to non-statutory subject matter because they allegedly would encompass "a modulated data signal." Actually, claim 14 recites, "a computer-readable *storage* medium… (emphasis added)." The Office observes that the specification does refer to the "communication media" defined at page 14, lines 9-16 as being "computer-readable," which Applicants continue to believe is technically correct. The claim language, however, does not encompass all computer readable media, and is explicitly limited to only computer-readable storage media. The specification describes various examples of storage media at page 13, lines 26-30. Accordingly, applicants respectfully submit that the specification does not define a storage media as including mere modulated data signals as such.

Claims 14-17 which are drawn to "computer-readable storage media" therefore do meet the statutory subject matter requirements under § 101.

Interview Request

If the claims are not found by the Examiner to be allowable, the Examiner is requested to call the undersigned attorney to set up an interview to discuss this application.
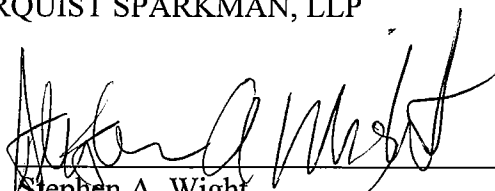
Conclusion

The claims in their present form should be allowable. Such action is respectfully requested.

Respectfully submitted,

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